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*Attorneys for Defendant Google LLC*

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

CHASOM BROWN, WILLIAM BYATT,  
JEREMY DAVIS, CHRISTOPHER  
CASTILLO, and MONIQUE TRUJILLO,  
individually and on behalf of all similarly  
situated,

Plaintiffs,

v.

GOOGLE LLC,  
Defendant.

Case No. 5:20-cv-03664-LHK-SVK

**DECLARATION OF JONATHAN TSE IN  
SUPPORT OF GOOGLE'S  
ADMINISTRATIVE MOTION TO SEAL  
JOINT SUBMISSION IN RESPONSE TO  
DKT. 242 RE: STATUS OF DISCOVERY  
DISPUTES**

Referral: Hon. Susan van Keulen, USMJ

1 I, Jonathan Tse, declare as follows:

2 1. I am a member of the bar of the State of California and an attorney with Quinn  
3 Emanuel Urquhart & Sullivan, LLP, attorneys for Defendant Google LLC (“Google”) in this action.  
4 I make this declaration of my own personal, firsthand knowledge, and if called and sworn as a  
5 witness, I could and would testify competently thereto.

6 2. Pursuant to Civil Local Rule 79-5, I submit this declaration in support of Google’s  
7 Administrative Motion to Seal portions of the parties Joint Submission In Response to Dkt. 242 Re:  
8 Status of Discovery Disputes (“Joint Submission”). In making this request, Google has carefully  
9 considered the relevant legal standard and policy considerations outlined in Civil Local Rule 79-5.  
10 Google makes this request with the good faith belief that the information sought to be sealed consists  
11 of Google’s confidential and proprietary information and that public disclosure could cause  
12 competitive harm.

13 3. Google respectfully requests that the Court seal the redacted portions of the Joint  
14 Submission, attached hereto as Exhibit A.

15 4. The information requested to be sealed contains Google’s highly confidential and  
16 proprietary information regarding highly sensitive features of Google’s internal systems and  
17 operations, including details related to cookies, internal identifiers, and financial projections as well  
18 as Google’s internal communications and practices with regard to Incognito, X-Client-Data Header,  
19 and their proprietary functions, that Google maintains as confidential in the ordinary course of its  
20 business and is not generally known to the public or Google’s competitors.

21 5. Such confidential and proprietary information reveals Google’s internal strategies,  
22 system designs, and business practices for operating and maintaining many of its important services,  
23 and falls within the protected scope of the Protective Order entered in this action. *See* Dkt. 81 at 2-  
24 3.

25 6. Public disclosure of such confidential and proprietary information could affect  
26 Google’s competitive standing as competitors may alter their systems and practices relating to  
27 competing products. It may also place Google at an increased risk of cyber security threats, as third  
28 parties may seek to use the information to compromise Google’s identifier system and practices.

1           7. For these reasons, Google respectfully requests that the Court order the Joint  
2 Submission to be filed under seal.

3           I declare under penalty of perjury of the laws of the United States that the foregoing is true  
4 and correct. Executed in San Francisco, California on September 24, 2021.

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6 DATED: September 24, 2021

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

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8  
9 By /s/ Jonathan Tse  
Jonathan Tse

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11 *Attorney for Defendant*  
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